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DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07 May 2005</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37,40-54,56-63 and 65-112* is/are pending in the application.

    4a) Of the above claim(s) *38-39,55 and 64* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *38,39,55 and 64* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/3/05</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

Detail Action

Response to Amendment

1.   Applicant's arguments/amendments with respect to amended claims 1-2, 12-14, 21-23,

25, 28-35, 46, 54, 62-63, 65-73, 76, 82-83, 85-86, 89, 97, 106-107, 109, 110, and 112 filed on

May 7, 2005 have been fully considered but they are not persuasive. The examiner would like to

point out that this action is made final (MPEP 706.07a).

2.   The examiner accepts the amended specification as "BRIEF SUMMARY OF THE

INVENTION: **Not Applicable**".

3.   **The rejections under 35 USC § 112:** claim 29 stand rejected under 35 USC § 112 as

applicant fails to address the problem as mentioned in the Office Action.

4.   **The rejections under *35 USC § 101:*** claims 12, 21, 62, 82, 97, 106, and 112 stand

rejected under 35 USC § 101 as applicant fails to address the problem as mentioned in the Office

Action.

5.   Examiner withdraws the previous double patenting rejection.

Response to Arguments

6.   Applicant argues that:

a.   The references, whether alone or in combination, fail to support *"duplicate*

selected content and encrypt duplicate copies of the same selected content multiple times

under multiple encryption schemes".

However, Examiner disagrees with applicant.

Regarding argument (a), Argument is not persuasive. Jandel teaches encrypting portions

of image data according to multiple encryption method (first encryption method, and

second encryption method) (page 3 par. 5, and page 5 par. 1-3). When the encrypted

portions are decrypted **they have the same resolution** but different quality. **Jandel's**

encrypted image portions are not different data they are the same image but

different quality.

Based on the arguments set forth by the examiner for argument (a), all dependent claims

stand rejected and also claims 29, and 12, 21, 62, 82, 97, 106 and 112 stand rejected

under 35 USC § 112, and 35 USC § 101 respectively as applicant fails to address the

problems as mentioned in the Office Action.

The examiner is not trying to teach the invention but is merely trying to interpret the

claim language in its broadest and reasonable meaning. Therefore, the examiner asserts

that the system of the prior art references do teach or suggest the subject matter as recited

in independent claims 1, 11-13, 20-22, 25, 30, 35, 46, 54, 61-63, 67, 72, 76, 81-83, 86,

96-98, and 105-107. Dependent claims 2-10, 14-19, 23-24, 26-29, 31-34, 36-37, 40-45,

47-53, 56-60, 65-66, 68-71, 73-75, 77-80, 84-85, 87-95, 99-104, and 108-112 are also

rejected at least by virtue of their dependency on independent claims and by other reason

set forth in this office action dated July 11, 2005. Accordingly, rejections for claims 1-37,

40-54, 56-63, and 65-112 are respectfully maintained.

Rejections

The text of those sections of Title 35, U.S. Code not included in this action can be found in a
prior Office action.

Claim Rejections - 35 USC § 112

7.   Claim 29 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

8.   Claim 29 recites the limitation "The apparatus according to claim 26..." in line 1. There

is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 101

9.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

10.   Claims 12, 21, 62, 82, 97, 106, and 112 are rejected under 35 U.S.C. 101 because the

claimed invention is directed to non-statutory subject matter. It is not tangibly embodied as it is

only software per se. It is suggested that the claimed subject matter "An encrypted television

signal....carried by an electronic transmission medium" should be changed to "An encrypted

television signal stored in electronic transmission readable-medium..."

Claim Rejections - 35 USC § 102

11.   Claims 54, 56, 58, 60-63, 65-69, 72-73, 76-77, 81-84, 86-87, 90, 94-99, 102-108, and

110-112 are rejected under 35 U.S.C. 102(a) as being anticipated by Jandel et al. (Jandel WO

00/31964).

As per claims 54, 61-63, 107, and 111-112, Jandel teaches a method/electronic storage

medium/electronic transmission medium of partially multiple encrypting a digital television

signal, wherein the television signal includes an elementary data stream and system information

(SI), comprising:

   duplicating the SI to produce a duplicate SI (fig. 1 no. 103 and 105);

   encrypting the SI under a first encryption system to create a first encrypted SI (Jandel

page 6 par. 2-3, and fig. 1 and fig. 2a);

   encrypting the duplicate SI under a second encryption system to create a second

encrypted SI (Jandel page 6 par. 2-3, and fig. 1 and fig. 2a), comprising:

   forming a partially multiple encrypted digital television signal comprising:

the elementary data stream in an unencrypted form (Jandel Fig. 1 No. 101 and

page 6 par. 2-3 & 6); and

the SI encrypted under the first encryption system, and the duplicate SI encrypted

under the second encryption system (Jandel Fig. 1 No. 103 and 105 and page 5 par. 1-3).

As per claim 67, Jandel teaches a television set-top box, comprising:

a receiver that receives a television signal comprising duplicate content and encrypted

system information (Jandel page 6 par. 4-6, and fig. 2b);

a decrypter that decrypts the system information (Jandel page 6 par. 4-6, and fig. 2b No.

253); and

a decoder that decodes the content (Jandel page 6 par. 4-6, and fig. 2b No. 255).

As per claims 72, 76, and 81-82, Jandel teaches a method/electronic storage medium/electronic

transmission medium of multiple encrypting a television signal, comprising:

encrypting a selected elementary stream of the television signal according to a first

encryption method to produce a first encrypted elementary stream (Jandel page 6 par. 2-3 & 6,

claims 1 &6, and fig. 1 No. 103);

encrypting a duplicate selected elementary stream of the television signal according to a

second encryption method to produce a second encrypted elementary stream (Jandel page 6 par.

2-3 & 6, claims 1 & 6, and fig. 1 No. 105); and

combining the first and second encrypted elementary stream and with unencrypted

elementary stream to produce a partially multiple encrypted television signal, wherein the

unencrypted elementary stream is not a duplicate of the first and second elementary stream (Jandel page 6 par. 2-3 & 6, claims 1 & 6, and fig. 1 No. 105).

As per claims 86, 96-98, and 105-106 Jandel teaches a method/electronic storage medium/electronic transmission medium of multiple encrypting a television signal, comprising:

encrypting a video portion of the television signal according to a first encryption method to produce a first encrypted video portion (Jandel page 5 par. 1, claims 1&6, and fig. 1 No. 103);

encrypting a duplicate of the video portion of the television signal according to a second encryption method to produce a second encrypted video portion (Jandel page 5 par. 2, claims 1&6, and fig. 1 No. 105); and

combining the first encrypted video portion and the second encrypted video portion with an unencrypted audio portion of the television signal to produce a multiple partially encrypted television signal (Jandel page 5 par. 3, page 6 par. 3 and claims 1&6).

As per claim 83, Jandel teaches a multiple selective encrypted electronic video signal stored or conveyed on a machine readable medium, comprising:

a plurality of elementary streams (Jandel page 6 par. 2-3 and fig. 1 No. 101, 103, & 105);

at least a first of the elementary streams carrying the same content as a first duplicate elementary stream (Jandel page 6 par. 2-3 No. 103);

a second unencrypted elementary stream (fig. 1 no. 101)

the first elementary stream being encrypted according to a first encryption method to

produce a first encrypted elementary stream (Jandel page 5 par. 1, claims 1&6, and fig. 1 No.

103); and

the first duplicate elementary stream encrypted according to a second encryption method

to produce a second encrypted elementary stream (Jandel page 5 par. 2, claims 1&6, and fig. 1

No. 105).

As per claim 90, Jandel teaches the method, wherein video packets encrypted according to the

first encryption method are assigned a first packet identifier and video packets encrypted

according to the second encryption method are assigned a second packet identifier (Jandel page 6

par. 4-6, and fig. 2b No. 251 &253; the multiple encrypted and unencrypted data potions/packets

are identified and selected by the selector 255 to apply the multiple decryption technique that

corresponds to the multiple encryption technique to the multiple encrypted packets).

As per claims 94 and 102, Jandel teaches the method, further comprising distributing system

information to provide locating information used to locate the first and second encrypted video

portions (Jandel page 6 par. 2-6 and fig. 1, 2a, & 2b).

As pr claim 95, Jandel teaches the method, further comprising combining encrypted system

information with the audio portion and the first and second encrypted video portions (Jandel

page 6 par. 3 and claims 1 & 6).

As pr claim 103, Jandel teaches the method further comprising encrypting the system information (Jandel page 6 par. 2-3).

As pr claim 104, Jandel teaches the method further comprising partially encrypting the unencrypted audio portion of the television signal (Jandel Fig. 1 No. 101, 103, and 105).

As pr claims 56 and 108, Jandel teaches the method, wherein the partially multiple encrypted digital television signal further comprises the SI encrypted under the second encryption system (Jandel Fig. 1 No.105, and page 5 par. 1-2).

As pr claims 58 and 110, Jandel teaches the method, wherein the encrypted SI information and the duplicate encrypted SI information are distributed in a different band than that used to distribute the elementary data stream in the unencrypted form (Jandel abstract, and page 3 par. 2-3).

As pr claim 60, Jandel teaches the method, wherein the encrypted SI information is distributed in a different band than that used to distribute the elementary data stream in the unencrypted form (Jandel abstract, and page 3 par. 2-3).

As pr claim 65, Jandel teaches the partially multiple encrypted digital television signal, wherein the unencrypted elementary data stream is modulated to a first frequency band and wherein the first encrypted SI is modulated to a second frequency band (Jandel abstract, and page 3 par. 2-3).

As pr claim 66, Jandel teaches the partially multiple encrypted digital television signal, wherein the unencrypted elementary data stream is modulated to a first frequency band and wherein the second encrypted SI is modulated to a second frequency band (Jandel abstract, and page 3 par. 2-3).

As pr claim 68, Jandel teaches the television set-top box, wherein the content is decoded according to the decrypted system information (Jandel page 6 par. 4-6).

As pr claim 69, Jandel teaches the television set-top box, wherein the system information includes channel identifier information for identifying the content (Jandel page 6 par. 2-6).

As pr claim 73, Jandel teaches the method, further comprising distributing an unencrypted video portion of the television signal along with the first and second encrypted elementary streams, wherein the unencrypted video portion comprises the unencrypted elementary stream (Jandel page 6 par. 3).

As pr claim 77 Jandel teaches the method, wherein the television signal is a digital television signal, and wherein the encrypting comprises encrypting packets identified as the selected elementary stream packets (Jandel Fig. 1 No. 103 and 105).

As pr claim 84 Jandel teaches the multiple selective encrypted electronic video signal, wherein

the first encryption method comprises a legacy encryption method and wherein the second

encryption method comprises a non-legacy encryption method (Jandel page 6 par. 6)..

As pr claims 87 and 99 Jandel teaches the method, wherein the television signal is a digital

television signal, and wherein the multiple encrypting comprises encrypting packets identified as

video packets (Jandel Fig. 1 No. 101, 103, & 105 and abstract).

Claim Rejections - 35 USC § 103

12.   Claims 1-2, 5, 8-14, 16-23, 25-26, 28-37, 40, 42-48, 50-53, 57, 59, 74, 79, 80, 85, 93,

101, and 109 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jandel et al. (Jandel

WO 00/31964) in view of Guralnick et al. (Guralnick, Patent Number: 6,058,192).

As per claims 1, 11-13, and 20-21, Jandel teaches a method/electronic storage medium/electronic

transmission medium of multiple encrypting a television signal, comprising:

      encrypting a data portion of the television signal according to a first encryption method to

produce a first encrypted data portion (Jandel page 5 par. 1, claims 1&6, and fig. 1 No. 103);

      encrypting a duplicate of data portion of the television signal according to a second

encryption method to produce a second encrypted data portion (Jandel page 5 par. 2, claims 1&6,

and fig. 1 No. 105); and

combining the first encrypted data portion and the second encrypted data portion with an

unencrypted video portion of the television signal to produce a multiple partially encrypted

television signal (Jandel page 5 par. 3, and claims 1&6).

Jandel does fails to explicitly teach encrypting an audio data;

However Guralnick discloses encrypting an audio portion of a television signal

(Guralnick Col. 3 lines 31-47, col. 6 lines 55-67, and claim 1).

Therefore it would have been obvious to one having ordinary skill in the art at the time of

the invention was made to employ the teachings of Guralnick within the system of Jandel

because it would encrypt a particular portion of audio/video signal to protect audio/video data on

broadcasting system.

As per claims 22 and 25, Jandel teaches a multiple encrypted digital television signal stored or

conveyed on a machine readable medium, comprising:

a first encrypted data portion, comprising a duplicate of the clear data portion encrypted

under a first encryption method (Jandel page 5 par. 1, claims 1&6, and fig. 1 No. 103);

a second encrypted data portion, comprising the clear data portion encrypted under a

second encryption method (Jandel page 5 par. 2, claims 1&6, and fig. 1 No. 105); and

an unencrypted video portion (Jandel page 4 par. 6, claims 1&6, and Fig. 1 No. 101).

Jandel does fails to explicitly teach encrypting an audio data;

However Guralnick discloses encrypting an audio portion of a television signal (Guralnick Col. 3 lines 31-47, col. 6 lines 55-67, and claim 1).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Guralnick within the system of Jandel because it would encrypt a particular portion of audio/video signal to protect audio/video data on broadcasting system.

As per claim 30, Jandel teaches a cable system headend, comprising:

a first encryption system that encrypts a television data packets using a first encryption algorithm (Jandel page 5 par. 1, claims 1&6, and fig. 1 No. 103);

a second encryption system that encrypts duplicate television data packets using a second encryption algorithm (Jandel page 5 par. 2, claims 1&6, and fig. 1 No. 105); and

transmitting/distributing the stream of packets comprising a video packets (Jandel page 3 par. 3 and fig. 1), a television data packets encrypted under the first encryption algorithm, and a television packets encrypted under the second encryption algorithm and system information packets (Jandel claims 1&6).

Jandel does fails to explicitly teach encrypting an audio data; and

a cable television distribution system to distribute a stream packets.

However Guralnick discloses encrypting an audio portion of a television signal
(Guralnick Col. 3 lines 31-47, col. 6 lines 55-67, and claim 1).

a cable television distribution system to distribute a stream packets (Guralnick col. 6 lines
36-54).

Therefore it would have been obvious to one having ordinary skill in the art at the time of
the invention was made to employ the teachings of Guralnick within the system of Jandel
because it would encrypt a particular portion of audio/video signal to protect audio/video data on
broadcasting system.

As per claims 28, 35, and 42-45, Jandel discloses an apparatus/method/integrated circuit and
programmable logic device of decoding a multiple partially encrypted television signal,
comprising:

a receiver receiving a television signal having a dual partially encrypted television
program/multiple encrypted signal portion (Jandel page 6 par. 6, and page 3 par. 5) and a clear
video portion (Jandel Fig. 2b No. 251 & 253, and page 6 par. 2), wherein the dual/multiple
encrypted television data portion comprises a first encrypted television data portion encrypted
under a first encryption method and a second encrypted portion encrypted under a second
encryption method (Jandel page 6 par. 2-3);

a decrypter that receives encrypted television data packets encrypted under the first
encryption algorithm from the receiver and decrypts the first encrypted television data packets,
(Jandel page 6 par. 4-6, and fig. 2b No. 253) ; and

a decoder that receives and decodes the decrypted audio packets, and that receives and

decodes unencrypted video packets to produce a television signal suitable for play on a television

receiver (Jandel page 6 par. 4-6, and fig. 2b No. 255).

Jandel does fails to explicitly teach encrypting an audio data; and

However Guralnick discloses encrypting an audio portion of a television signal

(Guralnick Col. 3 lines 31-47, col. 6 lines 55-67, and claim 1).

Therefore it would have been obvious to one having ordinary skill in the art at the time of

the invention was made to employ the teachings of Guralnick within the system of Jandel

because it would encrypt a particular portion of audio/video signal to protect audio/video data on

broadcasting system.

As per claim 46, and 50-53, Jandel teaches a method/apparatus/integrated circuit of decoding a

partially encrypted television signal, comprising:

receiving a television signal having a first encrypted audio portion, a second encrypted

television data portion and a clear video portion, the first television data portion being identified

by a first packet identifier (PID), and the second television data portion being identified by a

second PID, the second audio portion being a duplicate of the first audio portion when the first

and second audio portions are unencrypted (Jandel page 6 par. 4-6, and fig. 2b No. 251 &253;

the multiple encrypted and unencrypted data potions/packets are identified and selected by the

selector 255 to apply the multiple decryption technique that corresponds to the multiple

encryption technique to the multiple encrypted packets);

discarding the second encrypted audio portion by PID filtering (Jandel page 3 par. 4);

decrypting the first encrypted television data portion to produce a decrypted television

data portion (Jandel page 6 par. 4-6, and fig. 2b No. 253); and

decoding the decrypted television data portion and the clear video portion to produce a

decoded signal (Jandel page 6 par. 4-6, and fig. 2b No. 255).

However Guralnick discloses encrypting an audio portion of a television signal

(Guralnick Col. 3 lines 31-47, col. 6 lines 55-67, and claim 1).

Therefore it would have been obvious to one having ordinary skill in the art at the time of

the invention was made to employ the teachings of Guralnick within the system of Jandel

because it would encrypt a particular portion of audio/video signal to protect audio/video data on

broadcasting system.

As per claims 2, 14, 23, and 26, Jandel and Guralnick teach all the subject matter as described

above. In addition Guralnick teaches the method/multiple encrypted television signal, wherein

the encrypting comprises encrypting packets identified as audio packets (Guralnick Col. 3 lines

31-47, col. 6 lines 55-67, and claim 1). The rational for combing are the same as claim 1 above.

As per claims 5 and 37, Jandel and Guralnick teach all the subject matter as described above. In

addition, Jandel teaches the method, wherein the encrypted audio portion is identified by a

packet identifier (PID) associated with a decryption algorithm used for decrypting the encrypted

audio portion (Jandel page 6 par. 4-6, and fig. 2b No. 251 & 253; the multiple encrypted and

unencrypted data potions/packets are identified and selected by the selector 255 to apply the

multiple decryption technique that corresponds to the multiple encryption technique to the

multiple encrypted packets).

As per claims 8 and 16 Jandel and Guralnick teach all the subject matter as described above. In

addition, Guralnick teaches the method, wherein the first encrypted audio portion and the second

encrypted audio portion are distributed over one of a terrestrial broadcast system, a satellite

system and a cable system (Guralnick col. 6 lines 36-54, and col. 12 lines 38-47).

As per claims 9 and 17, Jandel and Guralnick teach all the subject matter as described above. In

addition, Jandel teaches the method, further comprising distributing system information to

provide locating information used to locate the first and second encrypted audio portions (Jandel

page 6 par. 2-6 and fig. 1, 2a, & 2b).

As per claim 10 Jandel and Guralnick teach all the subject matter as described above. In addition,

Jandel teaches the method, further comprising combining encrypted system information with the

video portion and first and second encrypted audio portions (Jandel page 6 par. 3 and claims 1 &

6).

As per claim 18 Jandel and Guralnick teach all the subject matter as described above. In addition, Jandel teaches the method, further comprising encrypting the system information (Jandel page 6 par. 2-3).

As per claim 19 Jandel and Guralnick teach all the subject matter as described above. In addition, Jandel teaches the method, further comprising partially encrypting the unencrypted video portion of the television signal (Jandel Fig. 1 No. 101, 103, and 105).

As per claim 29 Jandel and Guralnick teach all the subject matter as described above. In addition, Jandel teaches a device, wherein the receiver further receives and discards audio packets encrypted under a second encryption algorithm (Jandel page 3 par. 4, and Fig. 2b No. 251 & 255).

As per claim 31 Jandel and Guralnick teach all the subject matter as described above. In addition, Jandel teaches the cable system headend, wherein the video packets are unencrypted (Jandel Fig. 1 No. 101).

As per claim 32 Jandel and Guralnick teach all the subject matter as described above. In addition, Jandel teaches the cable system headend, wherein the system information packets are unencrypted (Jandel Fig. 1 No. 101).

As per claim 33 Jandel and Guralnick teach all the subject matter as described above. In addition,

Jandel teaches the cable system headend, wherein the video packets are partially encrypted

(Jandel Fig. 1 No. 101, 103, and 105, and page 3 par. 2).

As per claim 34 Jandel and Guralnick teach all the subject matter as described above. In addition,

Jandel teaches the cable system headend, wherein the system information packets are encrypted

(Jandel Fig. 1 No. 103, and 105).

As per claims 36 and 47 Jandel and Guralnick teach all the subject matter as described above. In

addition, Jandel teaches the method, wherein the decoded signal is suitable for play on a

television set (Jandel page 6 par. 5, and Fig. 2b No. 255).

As per claims 40 and 48 Jandel and Guralnick teach all the subject matter as described above. In

addition, Jandel teaches the method, wherein the first PID is a secondary PID and wherein the

second PID is a primary PID (Jandel page 6 par. 2-6 and fig. 1, 2a, and 2b; data is put in to

multiple packets and some portions of the data is encrypted and transmitted to the decrypter and

each portions of the data is identified and decrypted by the decrypter. It is obvious to one

ordinary skill in the art at the time of the invention to identify the first and second packet as a

secondary and primary or visversa).

As per claims 57, 59, 79, 93, 101, and 109, Jandel teaches all the subject mater as described

above. Jandel does not explicitly teach one of the following distribution method: a cable system,

a terrestrial broadcast system and satellite system.

However Guralnick discloses the method, further comprising distributing the multiple

partially encrypted television signal over one of the following: a cable system, a terrestrial

broadcast system and satellite system (Guralnick col. 6 lines 36-54, and col. 12 lines 38-47).

Therefore it would be obvious to one having ordinary skill in the art at the time of the

invention was made to employ the teachings of Guralnick within the system of Jandel because it

would allow the distribute the television signal to television set top box.

As pr claim 74, Jandel and Guralnick teach all the subject matter as described above. In addition,

both Jandel and Guralnick teach the method, wherein the television signal is a digital television

signal, and wherein the encrypting comprises encrypting packets identified as one of audio

elementary stream packets, video elementary stream packets and system information elementary

stream packets (Jandel page 6 par. 2-6, and Guralnick col. 3 lines 31-47). The rational for

combining are the same as claim 57 above.

As per claim 80, Jandel and Guralnick teach all the subject matter as described above. In

addition, both Jandel and Guralnick teach the method, wherein the television signal is a digital

television signal, and wherein the encrypting comprises encrypting packets identified as one of

audio elementary stream packets, video elementary stream packets and system information

elementary stream packets (Jandel Fig. 1 No. 103 & 105, and Guralnick col. 3 lines 31-47). The

rational for combining are the same as claim 57 above.

As pr claim 85, Jandel and Guralnick teach all the subject matter as described above. In addition,

both Jandel and Guralnick teach the multiple selective encrypted electronic video signal, wherein

the first elementary stream comprises one of the following: a video, an audio and a system

information elementary stream (Jandel Fig. 1 No. 101, 103, & 105, and Guralnick col. 3 lines 31-

47). The rational for combining are the same as claim 57 above.

13.   Claims 4, 6, 7, 41, and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Jandel et al. (Jandel WO 00/31964) in view of Guralnick et al. (Guralnick, Patent Number:

6,058,192), and further in view of Yasukawa et al. (Yasukawa, Patent Number: 5,999,622).

As per claim 4, Jandel and Guralnick teach all the subject matter as described above.

Jandel and Guralnick do not explicitly tech a digital satellite service.

However Yasukawa teaches wherein the digital television signal complies with a digital satellite

service (DSS) transport standard, and wherein the audio packets are identified for encryption by

a service channel identifier (SCID) (Yasukawa col. 4 lines 33-38).

        Therefore it would be obvious to one having ordinary skill in the art at the time of the

invention was made to employ the teachings of Yasukawa within the combination system of

Jandel and Guralnick because it would allow to transmits a stream of data portions, where some

of the stream of the data portions are encrypted and some portions are left unencrypted and each

segmented encrypted or unencrypted portions of the data are identified (Yasukawa abstract).

As per claim 6, Jandel and Guralnick teach all the subject matter as described above.

        Jandel and Guralnick do not explicitly teach the map table.

However Yasukawa discloses the method, wherein the first packet identifier and the second packet identifier are referenced as primary elementary PIDs in a program map table (PMT) (Yasukawa col. 6 lines 30-59, and Fig. 6 & 7).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Yasukawa within the combination system of Jandel and Guralnick because it would allow to map and identify the portions of the television data.

As per claims 7, 41, and 49, Jandel, Guralnick and Yasukawa teach all the subject matter as described above. In addition, Jandel and Yasukawa teach the method, wherein the first packet identifier is referenced as a primary elementary PID in a program map table (PMT) and the second packet identifier is referenced as a secondary elementary PID in the program map table (PMT) (Jandel page 6 par. 2-6 and Yasukawa col. 6 lines 30-59, and Fig. 6 & 7). The rational for combining are the same as claim 6 above.

14.   Claims 89, and 91-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jandel et al. (Jandel WO 00/31964), and further in view of Yasukawa et al. (Yasukawa, Patent Number: 5,999,622).

As per claim 89, Jandel teaches all the subject matter as described above.

Jandel does not explicitly teach a satellite service.

However Yasukawa discloses the method, wherein the digital television signal complies with a digital satellite service (DSS) transport standard, and wherein the video packets are identified for encryption by a service channel identifier (SCID) (Yasukawa Col. 4 lines 33-38).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Yasukawa within the system of Jandel because it would allow to transmit portioned digital packets.

As per claims 91- 92 Jandel teaches all the subject matter as described above.

Jandel does not explicitly teach the program map table (PMT).

However Yasukawa teaches the method, wherein the first packet identifier is referenced as a primary elementary packet identifier (PID) in a program map table (PMT) and the second packet identifier is referenced as a secondary elementary packet identifier (PID) in the program map table (PMT) (Yasukawa col. 6 lines 30-59, and Fig. 6 & 7).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention was made to employ the teachings of Yasukawa within the system of Jandel because it would allow to map and identify the portions of the television data.

15.   Claims 70-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jandel et al. (Jandel WO 00/31964), and further in view of Applicant Admitted Prior Art (AAPA).

As per claim 70 Jandel teaches all the subject matter as described above.

Jandel does not explicitly teach an out of band receiver.

However AAPA teaches the television set-top box, wherein the system information is received in

an out of band receiver (AAPA page 3 lines 4-6).

Therefore it would be obvious to one having ordinary skill in the art at the time of the invention

was made to employ the teachings of AAPA within the system of Jandel because it would

receive information.

As per claim 71 both Jandel and AAPA teach the subject matter as described above. In addition,

AAPA discloses the television set-top box, wherein the system information is received in an in-

band receiver (AAPA page 3 lines 4-6). The rational for combing are the same as claim 70

above.

16.   Claims 3, 15, 24, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Jandel et al. (Jandel WO 00/31964) in view of Guralnick et al. (Guralnick, Patent Number:

6,058,192), and further in view of Alattar et al. Improved Selective encryption techniques for

secure transmission of MPEG video bit-streams October 1999 (Alattar IEEE '99).

As per claims 3, 15, 24, 27, 75, 78, 88, and 100, Jandel and Guralnick teach all the subject

matter as described above. Jandel and Guralnick do not explicitly teach MPEG standard.

However Alattar IEEE '99 teaches wherein the digital television signal complies with an

MPEG standard, and wherein the audio packets are identified for encryption by a packet

identifier (PID) (Alattar IEEE '99 pages 257-258 section 2.3, and 3.1).

Therefore it would have been obvious to one having ordinary skill in the art at the time of

the invention was made to employ the teachings of Alattar IEEE '99 within the combination

system of Jandel and Guralnick because it would partially/selectively encrypts multiple portions

of a television signal and un-encrypt some portions of the signal and multiplexes/combines the

un-encrypted data with the encrypted portions in order to have most efficient and highly secure

method by reducing processing time over "total" encryption (Alattar IEEE '99 abstract and pages

257-258 section 2.3, and 3.1).

17.   Claims 75, 78, 88, and 100 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Jandel et al. (Jandel WO 00/31964), and further in view of Alattar et al. Improved Selective

encryption techniques for secure transmission of MPEG video bit-streams October 1999 (Alattar

IEEE '99):

As per claims 75, 78, 88, and 100, Jandel teaches all the subject matter as described above.

Jandel does not explicitly teach MPEG standard.

        However Alattar IEEE '99 teaches wherein the digital television signal complies with an

MPEG standard, and wherein the audio packets are identified for encryption by a packet

identifier (PID) (Alattar IEEE '99 pages 257-258 section 2.3, and 3.1).

        Therefore it would have been obvious to one having ordinary skill in the art at the time of

the invention was made to employ the teachings of Alattar IEEE '99 within the system of Jandel

because it would partially/selectively encrypts multiple portions of a television signal and un-

encrypt some portions of the signal and multiplexes/combines the un-encrypted data with the

encrypted portions in order to have most efficient and highly secure method by reducing

processing time over "total" encryption (Alattar IEEE '99 abstract and pages 257-258 section

2.3, and 3.1).

Conclusion

18.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

19.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Eleni A Shiferaw whose telephone number is 571-272-3867. The

examiner can normally be reached on Mon-Fri 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eleni Shiferaw
Art Unit 2136
July 11, 2005

Primary Examiner
Art Unit 2135